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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/942,602 | 08/31/2001 | Kia Silverbrook | AP73US | 7468 |

24011 7590 06/01/2005

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

WU, XIAO MIN

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,602

Applicant(s)

SILVERBROOK, KIA

Examiner

XIAO M. WU

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 7-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/9/2005 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 7-10, 14-15, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo US Patent No. (6,512,497) in view of Swartz et al. (US Patent No. 6,095,418) and Muller et al. (US Patent No. 6,182,899).

As to claims 1, 7, 8, 17, Kondo discloses an electronic text and/or graphics presentation device including: scanning means (e.g. optical scanner for reading or scanning a CD 5); a user input control means (13, 14, Fig. 1); processing means ((21, Fig. 2) coupled to the scanning means the programming means operatively programmed to generate a data signal corresponding to the text and/or graphics in response to control signal from the user input control means; and a display means (11, 12, Fig. 1) arranged to received the data signal from the processing means and display the text and/or graphics.

It is noted that Kondo does not specifically disclose the recording or storage medium is a pattern encoding text and/or graphics. Also, Kondo does not specifically disclose receiving means incorporating a roller mechanism arranged to retract the card into the device..

Swartz is cited to teach a pattern encoding text and/or graphics can be printed in a card and the information stored in the card can be decoded and display on a screen. (See Fig. 4). It would have been obvious to one of ordinary skill in the art to have replaced the recording medium of Kondo with the features of encoding information stored in a card as taught by Swartz because Swartz's card with encoding information can be reproduced in a simple way such as to print a pattern encoding text and/or graphics on a card.

Muller is cited to teach a loading mechanism for loading and/or unloading a memory card by using a roller mechanism (see Fig. 1). It would have been obvious to one ordinary skill in the art to have modified Kondo as modified with the features of the roller mechanism for a memory card as taught by Muller because Muller provides a easy way for loading and unloading the memory card.

As to claim 2, Kondo discloses a foldable housing comprising first and second housing portions pivotal relative to each other (see Fig. 1).

As to claim 3, Kondo discloses a common spine (16, Fig. 1).

As to claims 9, 10, Kondo discloses a card storage magazine (e.g. inside of the housing see col. 2, lines 36-39).

As to claims 14 and 15, it would have been obvious to have two print circuit boards because two displays can be driven by their own drivers.

Art Unit: 2674

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo US Patent No. (6,512,497) in view of Swartz et al. (US Patent No. 6,095,418) as applied to claims 1-3 above, and further in view of Isao (JP 2001-100667).

As to claim 4, it is noted that Kondo and Swartz do not disclose the spine includes a battery compartment. Isao is cited to teach two foldable displays similar to Kondo. Isao further disclose that the spine includes a battery compartment (41). It would have been obvious to one of ordinary skill in the art to have modified Kondo with the features of the battery compartment in the spine as taught by Isao so that the display housing can be designed thinner.

4. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo US Patent No. (6,512,497) in view of Swartz et al. (US Patent No. 6,095,418) and Muller et al. (US Patent No. 6,182,899) as applied to claims 1-3 and 10 above, and further in view of Phillipps (US Patent No. 6,107,988)

As to claim 11, it is noted that Kondo, Swartz and Muller do not disclose a flexible display. Phillipps is cited to teach a foldable display similar to Kondo. Phillipps further discloses that the display is a flexible display (see col. 4, lines 62-65). It would have been obvious to one of ordinary skill in the art to have modified Kondo as modified with the features of the flexible display as taught by Phillipps because the flexible display is not easy to break.

As to claim 12, it is well known in the art that the LCD can be a bi-stable (e.g. on or off states).

As to claim 13, Phillipps discloses a loop of a flexible display upon pivoting the first and second housing portions to a closed position in order that creasing of the display is avoided (see Fig. 11, and col. 4, line 66 to col. 5, line 3).

Art Unit: 2674

5. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo US Patent No. (6,512,497) in view of Swartz et al. (US Patent No. 6,095,418) and Muller et al. (US Patent No. 6,182,899) as applied to claim 1 above, and further in view of Ohara et al. (US Patent No. 6,052,117).

As to claim 16, it is noted that Kondo and Swartz do disclose the input control means includes a joystick. Ohara is cited to teach notebook type display similar to Kondo. Ohara discloses a joystick in the device. It would have been obvious to one of ordinary skill in the art to have modified Kondo and Swartz with the feature of the joystick as taught by Ohara so as to provide an input control for the display.

Response to Arguments

6. Applicant's arguments filed 3/28/2005 have been fully considered but they are not persuasive. Applicant argues that the cards of the embodiments disclosed at col. 5, line 12-col. 7, line 8 of Swartz do not encode text and/or graphics of an entire document nor constitute a card which is disclosed as being inserted into an electronic text and/or graphics presentation device. These arguments are not persuasive because Swartz clearly discloses that the encoded text and/or graphics information (70) can be printed into the card (72) and such encoding information can be signature, biometric data, pictorial data, retinal eye pattern data, fingerprint or handprint data. Swartz further discloses that text or graphic information of the book can be encoded into a two-dimensional barcode. Swartz further discloses that the barcode symbol contains high information density and capacity (col. 3, lines 5-24). Thus, the size of the information stored in the two-dimensional barcode symbol is considered as an obvious design choice. The limitation

Art Unit: 2674

of "entire document" reads on "one page information of the book" encoded into the barcode symbol as taught by Swartz.

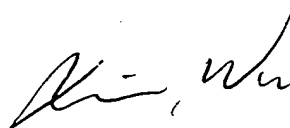
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to XIAO M. WU whose telephone number is 571 272-7761. The examiner can normally be reached on 6:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PATRICK EDOUARD, can be reached on 571 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 29, 2005



XIAO M. WU
Primary Examiner
Art Unit 2674